NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	No. 05-50691
Plaintiff - Appellee,	D.C. No. CR-02-00357-RSWL-01
v.	
ROBERT LEWIS BANDY, a/k/a Robert Lewis Laube, Robert Laude and Robert Hugh Johnson,	MEMORANDUM[*]
Defendant - Appellant.	

Appeal from the United States District Court
for the Central District of California
Ronald S.W. Lew, District Judge, Presiding

Submitted September 11, 2006[**]

Before: PREGERSON, T.G. NELSON, and GRABER, Circuit Judges.

Robert Lewis Bandy appeals from his guilty-plea conviction and 300-month

sentence imposed for two counts of armed bank robbery and brandishing a firearm

during a crime of violence, all in violation of 18 U.S.C. §§ 924(c) and 2113(a)(d).

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[*]   This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

[**]   This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Bandy has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. Bandy has not filed a pro se supplemental brief.

Because our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 82-83 (1988), indicates that Bandy knowingly and voluntarily waived his right to appeal and was sentenced within the terms of the plea agreement, we enforce the waiver and dismiss the appeal. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000) (stating that an appeal waiver is valid when it is entered knowingly and voluntarily); *see also United States v. Cardenas*, 405 F.3d 1046, 1048 (9th Cir. 2005) (noting that the changes in sentencing law imposed by *United States v. Booker*, 543 U.S. 220 (2005), did not render waiver of appeal involuntary and unknowing).

Counsel's motion to withdraw is **GRANTED**.

DISMISSED.